

# **EXHIBIT C**

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JULIA HUBBARD and KAYLA  
GOEDINGHAUS,

Plaintiffs,

v.

TRAMMELL S. CROW, JR., et al.  
Defendants.

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Case No. 5:23-cv-00580-FB

Judge: Hon. Fred Biery

Date Action Filed: May 8, 2023 (transferred)

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**DECLARATION OF KYLE FOLTYN-SMITH IN SUPPORT OF TRAMMELL S.  
CROW, JR.'S MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

I, Kyle Foltyn-Smith, declare as follows:

1. I am a partner at the law firm of Hawxhurst LLP, counsel of record for defendant Trammell S. Crow, Jr. I make this declaration in support of Mr. Crow's motion to dismiss the amended complaint. I have personal knowledge of the facts stated herein, and if called upon to do so, I could and would testify truthfully and competently with respect thereto.

2. Attached hereto is a true and correct copy of the of the redline comparison between the Original Complaint (Dkt. 1) and the Amended Complaint (Dkt. 190). The redlines in the comparison show the changes that Plaintiffs made to their Original Complaint. I used Microsoft Word to create the redline comparison after converting the documents from PDF to Word format. For readability and the Court's convenience, I removed certain formatting from the documents before running the comparison, including the following: the line numbering in the Original Complaint's margins, page numbers, and caption and signature pages. I reviewed the resulting redline comparison and confirmed that it accurately reflects the differences between the text of the two documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed in the City of Cedar Park, County of Williamson, on the 18th day of July 2023.

  
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Kyle Foltyn-Smith